

devices and embodiments were not properly claimed to the scope they were entitled. Therefore, within the two-year period following date of the issuance of U.S. Patent 5,913,670, the Inventors have filed this broadening reissue application seeking to correct the errors.

The specification remains as originally filed in U.S. Patent number 5,913,670 and is incorporated into this reissue application. It is believed that no additional typed copy is required.

Claim 1 of U.S. Patent 5,913,670 is hereby maintained in this reissue application.

New Claim 2 is directed to a system for the release of at least one cetacean from entanglement in underwater gear. Claim 2 relates to the teaching in U.S. Patent 5,913,670 at least at the Abstract; column 1, lines 41-47; column 1, lines 61-67; column 2, lines 29-55; FIG. 2 and its description at column 4, lines 51-65; column 6, lines 17-21; and column 6, lines 32-41. It is therefore not new matter and could have been claimed in U.S. Patent 5,913,670.

New independent claim 3 is directed to a method to reduce the injury to whales or other cetaceans entangled in underwater gear. Claim 3 relates to the teaching in U.S. Patent No. 5,913,670 at least the Abstract; column 2,

lines 56-67; and column 6, lines 17-21. It is therefore not new matter and could have been claimed in U.S. Patent 5,913,670.

New dependent claims 4 through 6 depend from claim 3 and are directed to narrowing embodiments of the method to reduce the injury to whales or other cetaceans entangled in underwater gear. These embodiments are taught in U.S. Patent No. 5,913,670 at column 6, lines 7-41. Claims 4 through 6 are therefore not new matter and could have been claimed in U.S. Patent 5,913,670.

New independent claim 7 is directed to a method to reduce the possibility of injury to whales or other cetaceans. It relates to the teaching in U.S. Patent No. 5,913,670 at column 2, lines 33-41. It is therefore not new matter and could have been claimed in U.S. Patent 5,913,670.

New independent claim 8 is directed to a breakaway link for underwater gear. It relates to the teaching in U.S. Patent No. 5,913,670 at FIGs 1, 4 and 5; column 3, lines 9-13; column 3, lines 52-67; column 4, lines 37-50; column 5, lines 8-25; column 6, lines 42-67; and column 7; lines 1-30. It is therefore not new matter and could have been claimed in U.S. Patent 5,913,670.

New dependent claim 9 depends from new independent claim 8 and is supported in the teaching of U.S. Patent No. 5,913,670 at FIG 1, FIG 4 and

FIG 5; column 3, lines 63-67; column 4, lines 44-46. It is therefore not new matter and could have been claimed in U.S. Patent 5,913,670.

New independent claim 10 is directed to a breakaway link of a specific embodiment and is supported in the teaching of U.S. Patent No. 5,913,670 at FIG 3; column 4, lines 1-18; column 3, lines 66-67; and column 4, lines 1-7. It is therefore not new matter and could have been claimed in U.S. Patent 5,913,670.

New dependent claims 11 and 12 depend from new independent claim 10 and are supported in U.S. Patent No. 5,913,670 at column 4, lines 1-22. Claims 11 and 12 are therefore not new matter and could have been claimed in U.S. Patent 5,913,670.

New dependent claims 13 through 18 depend from new dependent claim 11 and are supported in U.S. Patent No. 5,913,670 at column 4, lines 8-18. Claims 13 through 18 are therefore not new matter and could have been claimed in U.S. Patent 5,913,670.

New independent claim 19 is directed to a breakaway link of a specific embodiment and is supported in the teaching of U.S. Patent No. 5,913,670 at FIG 6; column 4, lines 19-22; and column 6, lines 17-21. It is therefore not new matter and could have been claimed in U.S. Patent 5,913,670.

New independent claim 20 is directed to a breakaway link of a specific embodiment and is supported in the teaching of U.S. Patent No. 5,913,670 at FIG 6; column 4, lines 19-22; and column 6, lines 17-21. It is therefore not new matter and could have been claimed in U.S. Patent 5,913,670.

New independent claim 21 is directed to a breakaway link of a specific embodiment and is supported in the teaching of U.S. Patent No. 5,913,670 at column 4, lines 23-36. It is therefore not new matter and could have been claimed in U.S. Patent 5,913,670.

New dependent claims 22 and 23 depend from new dependent claim 21 and are supported in U.S. Patent No. 5,913,670 at column 4, lines 30-36. Claims 22 and 23 are therefore not new matter and could have been claimed in U.S. Patent 5,913,670.

New independent claim 24 is directed to a breakaway link of a specific embodiment and is supported in the teaching of U.S. Patent No. 5,913,670 at column 4, lines 44-47. It is therefore not new matter and could have been claimed in U.S. Patent 5,913,670.

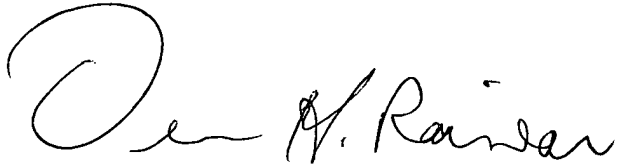
New independent claim 25 is directed to a device useful for incorporation into fishing buoy lines or fishing gear and is supported in the teaching of U.S. Patent No. 5,913,670 at column 5, lines 35-47. It is therefore not new matter and could have been claimed in U.S. Patent 5,913,670.

CONCLUSION

Applicants respectfully submit that original claim 1 should be reissued and is condition for reissue. New claims 2-25 provided herein with the underlining on a separate page, are supported in the original specification of the application for U.S. Patent number 5,913,670 and through error without deceptive intent, were not correctly claimed in U.S. Patent number 5,913,670. Therefore, it is respectfully submitted that claim 1-25 are in condition for immediate allowance.

A certified check (Bank of New Hampshire #802060263) for the reissue application fee (small entity) and for the additional claims herein is filed herewith in the amount of \$800.00. Also filed herewith is the Reissue Application Fee Transmittal Form (PTO/SB/56), an Information Disclosure Statement (PTO/SB/08A), a paper with the added claims 2-25 presented in underlined form, a Reissue Patent Application Transmittal form (PTO/SB/50), a Reissue Application: Consent of Assignee; Statement of Non-Assignment form (PTO/SB/53), and a Reissue Application Declaration By The Inventor form (PTO/SB/51), in addition to a copy of U.S. Patent number 5,913,670, copies of the Figures, a postage-paid return postcard and Applicant's Cover Letter and Declaration.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Dennis H. Rainear".

Dennis H. Rainear

Date: June 21, 2001

Reg. No 32,486

Attorney of record

Kilyk & Bowersox, P.L.L.C.

3603-E Chain Bridge Road

Fairfax, VA 22030

090624-0610
F0290-4E28860